

CHAPTER 93**MENTALLY DISABLED PERSONS — MARRIAGE AND ANNULMENT***S.F. 495*

AN ACT relating to the ability of a mentally disabled person to obtain a marriage license or an annulment, and findings by the court in guardianship proceedings concerning capacity to contract a valid marriage.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 229.27, subsection 1, Code 1991, is amended to read as follows:

1. Hospitalization of a person under this chapter, either voluntarily or involuntarily, does not constitute a finding of nor equate with nor raise a presumption of incompetency, nor cause the person so hospitalized to be deemed a person of unsound mind nor a person under legal disability for any purpose including but not limited to any circumstances to which sections 447.7, 472.15, 545.402, subsection 5, paragraph "b", 545.705, ~~595.3~~, 597.6, ~~598.29~~, 614.8, 614.19, 614.22, 614.24, 614.27, 622.6, 633.244, and 675.21 are applicable.

Sec. 2. Section 595.3, subsection 5, Code 1991, is amended to read as follows:

5. Where either party is mentally ill or retarded, a mental retardate, or a ward under a guardianship as an incompetent and the court has made a finding that the ward lacks the capacity to contract a valid marriage.

Sec. 3. Section 598.29, subsection 4, Code 1991, is amended to read as follows:

4. Where either party was mentally ill or a mental retardate at the time of the marriage a ward under a guardianship and was found by the court to lack the capacity to contract a valid marriage.

Sec. 4. Section 633.635, subsection 3, Code 1991, is amended to read as follows:

3. The court may take into account all available information concerning the capabilities of the ward and any additional evaluation deemed necessary, and may direct that the guardian have only a specially limited responsibility for the ward. In that event, the court shall state those areas of responsibility which shall be supervised by the guardian and all others shall be retained by the ward. The court may make a finding that the ward lacks the capacity to contract a valid marriage.

Approved May 1, 1991

CHAPTER 94**CIVIL RIGHTS LAW REVISIONS***H.F. 324*

AN ACT relating to aiding and abetting and retaliation under the civil rights law.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 601A.11, Code 1991, is amended to read as follows:

601A.11 AIDING, OR ABETTING, OR RETALIATION.

It shall be an unfair or discriminatory practice for:

1. Any person to intentionally aid, abet, compel, or coerce another person to engage in any of the practices declared unfair or discriminatory by this chapter.

2. Any person to discriminate or retaliate against another person in any of the rights protected against discrimination ~~on the basis of age, race, creed, color, sex, national origin, religion~~